

U.S. Department of Labor

Benefits Review Board  
P.O. Box 37601  
Washington, DC 20013-7601



BRB No. 16-0191 BLA

GERALDINE WALKER	)	
(Widow of WALTER WALKER)	)	
	)	
Claimant-Respondent	)	
	)	
v.	)	
	)	
BLUE FLAME FUEL COMPANY	)	
	)	
and	)	
	)	DATE ISSUED: 02/27/2017
OLD REPUBLIC INSURANCE COMPANY	)	
	)	
Employer/Carrier-	)	
Petitioners	)	
	)	
DIRECTOR, OFFICE OF WORKERS'	)	
COMPENSATION PROGRAMS, UNITED	)	
STATES DEPARTMENT OF LABOR	)	
	)	
Party-in-Interest	)	ORDER

On March 8, 2016, employer/carrier (employer) filed its petition for review and brief, contesting its designation as the responsible operator in this case.

On February 14, 2017, the Director, Office of Workers' Compensation Programs (the Director), filed a Motion to Dismiss Blue Flame Fuel, Inc., and Remand for Payment of Benefits By The Black Lung Disability Trust Fund (the Trust Fund). The Director states that the Trust Fund accepts liability for this claim and does not contest claimant's entitlement to benefits. The Director requests that the Board dismiss employer as a party to this claim, and remand this case to the district director for the payment of benefits by the Trust Fund.

In view of the above, the Board grants the Director's motion, dismisses employer as a party to this claim, and remands this case to the district director for the payment of benefits by the Trust Fund. *See* 26 U.S.C. §9501(d)(1)(B); 20 C.F.R. §725.1(c).

BETTY JEAN HALL, Chief  
Administrative Appeals Judge

RYAN GILLIGAN  
Administrative Appeals Judge

JONATHAN ROLFE  
Administrative Appeals Judge